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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 United States of America For the Use and
Benefit of Wells Cargo, Inc.,

12 Plaintiff,

13 vs.

14 Alpha Energy and Electric, Inc., a Missouri
15 Corporation, and AMERICAN CONTRACTORS
INDEMNITY COMPANY, a California
16 corporation,

17 Defendants.

18 Alpha Energy and Electric, Inc., a Missouri
Corporation,

19 Third Party Plaintiff,

20 vs.

21 Northcon, Inc., an Idaho Corporation;
22 Southwestern Construction, Inc., a Utah
Corporation; DOES 1 through 10; and ROE
23 Corporations 1 through 10,

24 Third Party Defendants.

Case No.: 2:18-cv-01182-JCM-DJA

**STIPULATION AND ORDER TO EXTEND
TIME TO FILE RESPONSE TO
NORTHCON, INC.'S MOTION FOR
PARTIAL SUMMARY JUDGMENT RE:
BREACH OF CONTRACT AND MILLER
ACT CLAIMS [ECF NO. 138]**

(FIRST REQUEST)

Defendant, American Contractors Indemnity Company (“ACIC”), Defendant/Third-Party Plaintiff Alpha Energy and Electric, Inc. (“Alpha”), Third-Party Defendant Northcon, Inc. (“Northcon”), and Third-Party Defendant Southwestern Construction, Inc. (“Southwestern Construction”), by and through their respective counsel, hereby stipulate, agree and request that the Court extend the date to file a response to Northcon, Inc.’s Motion for Partial Summary Judgment re: Breach of Contract and Miller Act Claims [ECF No. 138] to April 24, 2020.

Northcon, Inc. shall have until May 22, 2020 to file its Reply.

This is the first request to extend the time for to file this responsive pleading. This Stipulation is made for good cause and not for the purposes of delay. The reason for the request is the current situation with COVID-19 and the delays and adjustments all are experiencing due to school closures, working from home, and other related matters. Nothing contained in this Stipulation shall be deemed a waiver of any right belonging to any party hereto.

SO AGREED.

Dated this 25th day of March, 2020

DATED this 25th day of March, 2020.

PISKEL YAHNE KOVARIK, PLLC

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DATED this 25th day of March, 2020.

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DATED this 25th day of March, 2020.

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IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATE: March 30, 2020